

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

BRIENNE SPLITTGERBER,

Plaintiff,

v.

THE STATE OF NEBRASKA, THE  
NEBRASKA STATE PATROL, DR.  
STEPHEN HAUDRICH, an individual,  
BRADLEY RICE, an individual, DAVID  
SANKEY, an individual, JOHN AND  
JANE DOES, individuals

Defendants.

Case No. 8:17-cv-280

**DEFENDANT DAVID SANKEY'S  
MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant David Sankey (hereinafter "Sankey"), in his individual capacity, and moves for summary judgment on Plaintiff's sole remaining claim against Sankey, Plaintiff's Second Claim for Relief – Title 42 U.S.C.A. § 1983 – Denial of Equal Protection, under Fed. R. Civ. P. 56 and NECivR 56.1.

Sankey asserts that there is no genuine issue as to any material fact and that he is entitled to qualified immunity and judgment as a matter of law. Sankey seeks an Order from this Court dismissing Plaintiff's Complaint against Sankey with prejudice.

Submitted October 12, 2018.

DAVID SANKEY, in his individual  
capacity,

BY: DOUGLAS J. PETERSON, #18146  
Attorney General

BY: s/Jessica M. Forch  
Jessica M. Forch, #24912  
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*Attorneys for Defendants State of  
Nebraska, Nebraska State Patrol, and  
David Sankey.*

***CERTIFICATE OF SERVICE***

I hereby certify that on October 12, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice to Plaintiff's attorney of record.

s/Jessica M. Forch  
Jessica M. Forch, #24912  
Assistant Attorney General